

**IN THE CIRCUIT COURT OF
ST. LOUIS CITY, MISSOURI**

KORI YOUNGER,)	
)	
Plaintiff,)	Cause No.:
)	
vs.)	
)	Division:
TIN ROOF ST. LOUIS, LLC.,)	
Serve: National Registered Agents, Inc))	
120 South Central Ave)	PLAINTIFF DEMANDS
Clayton, MO 63105)	TRIAL BY JURY
)	ON ALL COUNTS
Defendant.)	

PETITION

COMES NOW, Plaintiff, KORI YOUNGER, through counsel, and states as follows for her Petition for damages against TIN ROOF ST. LOUIC, LLC:

FACTS COMMON TO ALL COUNTS

1. At all times relevant to this cause of action, Plaintiff, Kori Younger (hereafter “Younger”), is and was a of legal age and a resident of St. Louis County, Missouri.
2. At all times relevant to this cause of action, Defendant Tin Roof St. Louis, LLC (hereafter “Tin Roof”) is and was a for profit business organized and operating under the laws of the State of Missouri and located at 1000 Clark Ave in Saint Louis City, Missouri.
3. All acts and omissions that make up this cause of action for damages occurred at 1000 Clark Ave in Saint Louis City, Missouri.
4. This claim accrued on June 12, 2019 at approximately 11:45 p.m.
5. On June 12, 2019, the St. Louis Blues Hockey team won the Stanley Cup.
6. On that date, Tin Roof threw a party where they encouraged heavy alcohol consumption and provided large mugs to their patrons.

7. At approximately 10:50 p.m. Kori Younger arrived to Tin Roof to meet up with some friends after attending BINGO with her grandmother.

8. At some point, Younger's friend texted her to "come save him" from a patron, Caroline Nishimura (hereafter "Nishimura"), who was intoxicated from the drinks she was served at Tin Roof.

9. Younger approached her friend to "run interference" from Nishimura.

10. At that time, Nishimura physically pushed Younger's friends starting an altercation with numerous patrons.

11. In response to that, Kori Younger flagged down employees of Tin Roof to diffuse the situation, but who ultimately approached the group and forcibly removed all of them from inside the bar. The Tin Roof employees did not listen to what happened.

12. Tin Roof employees brought Younger, her friend and Nishimura to the same exit even though there are multiple exits at Tin Roof. This is an area where patrons of Tin Roof are directed to smoke and where Tin Roof directs its line to form.

13. Tin Roof employees allowed Nishimura to keep her free mug with her.

14. Tin Roof Employees brought Younger, her friend and Nishimura to the area set aside for Tin Roof patron to smoke cigarettes and where there line forms.

15. Immediately after, the Tin Roof employees released Nishimura, and within clear view and reach of the Tin Roof employees, Nishimura grabbed Younger from behind by the hair.

16. Younger struggled to get away from Nishimura for some time while Tin Roof employees stood idly by watching.

17. While Younger struggled to get away from Nishimura who had her from behind, the crowd of onlookers began cheering which should have alerted additional Tin Roof employees to the danger they had put Younger in.

18. Ultimately, Nishimura struck Younger in the head with the mug provided by Tin Roof in an area reserved for Tin Roof smokers and where the Tin Roof line forms.

19. All the act and omissions that form the cause of action against Tin Roof were made by duly authorized agents and or servants of Tin Roof.

20. Tin Roof, through its duly authorized agents and or servants was negligent in one or more of the following ways:

- a. They overserved Caroline Nishimura alcohol;
- b. They did not investigate what caused Nishimura to initiate violence against Younger's friends;
- c. They forcibly brought Younger and Nishimura to the same area when Tin Roof has multiple exits;
- d. They failed to separate Nishimura from the others;
- e. They allowed Nishimura to immediately latch on to Younger from behind by the hair after Tin Roof employees released her to the smoking and queue area;
- f. They failed to assist Younger who was extremely vulnerable while taken from behind by the hair;
- g. They failed to stop the violent altercation between Younger and Nishimura;
- h. They stood idly by while the crowd cheered on the fight;

- i. They provided the weapon (the mug) to Nishimura and did not take it back from her before she began her violent altercation with Younger;
- j. They watched the violent altercation between Nishimura and Younger and did nothing to stop it;
- h. They exacerbated the violent situation by forcibly throwing Nishimura and Younger in the same Tin Roof smoking and queue area.

21. The acts and omissions of Tin Roof caused significant harms and losses to Younger including a fractured skull, partial blindness, a traumatic brain injury which has caused, among other things, attempted suicide, loss of her job, inability to pay her bills, medical bills past and future, economic injury past and future, loss of ability to enjoy life, pain, suffering, humiliation and embarrassment.

ACCORDINGLY, Plaintiff, through counsel, respectfully requests that judgment issue in favor of Plaintiff and against Tin Roof St. Louis, LLC for compensatory damages in an amount that is fair and reasonable in excess of \$50,000.00, costs and attorneys' fees and for all such other relief as this Court deems just and proper under the circumstances.

RESPECTFULLY SUBMITTED

BY: /s/ Dale R. Funk
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